

REMARKS

This Amendment responds to the Official Action mailed on November 5, 2004. Entry of the amendment to claim 1 is believed to place all claims in condition for allowance. Claim 1 has been amended consistent with remarks made by the Examiner in the outstanding Office Action and are believed to not raise new issues or require further consideration.

The only amendment presented herein is to Claim 1

Rejections Under 35 U.S.C. §102

Claims 1 and 4 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,721,779 to Maffeis. The Examiner contends that Maffeis discloses all of the features of claim 1, except for the “connection bridge” which the Examiner asserts is inherent in a system in which the middleware communicates with the transport layer. Additionally, the Examiner acknowledges that the step of “generating action requests” which include “protocol connection identifiers” as recited in claim 1 is not expressly disclosed in Maffeis, but the Examiner contends that such a step is inherently implied in the JMS messaging middleware of Maffeis.

Maffeis describes a messaging proxy system that permits thin message clients 2, 2', 2''..., which are not loaded with all of the JMS software, to communicate with clients 4, which run conventional JMS message-oriented middleware. Maffeis achieves this through a message proxy server 1, which is equipped with a number of transport protocol adapters 1a, 1b, ..., 1g. Specifically, each thin message client has a protocol adapter 2a, 2'a, 2''a..., which allows the thin message client to communicate with client 4 through the proxy server, but *only if “a matching protocol adapter is running on the proxy.”* Maffeis, col. 4, lines 16-19. In other words, Maffeis expressly acknowledges that a thin message client may not link to the message proxy unless there are the same matching protocol adapters running on the proxy as there are running on the thin message client. Maffeis does not disclose or suggest including additional, arbitrary transport

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protocols in support of communications, let alone adding such without modifying the actual middleware source code or recompiling the middleware.

Applicant amended claim 1 to expressly recite the step of “adding to the middleware of the first computer an additional transport protocol in support of communication between the first and second application software using the protocol connection identifier and without accessing the source code for the middleware or producing the new version of the middleware source code.” Maffeis fails to teach such a step and provides no suggestions to persons of ordinary skill in the art to apply its JMS-messaging system outside of that narrow context. Accordingly, Maffeis does not anticipate the subject matter of amended claim 1.

Claim 4 depends from claim 1 and distinguishes over Maffeis for the reasons stated above regarding claim 1 and in view of its own further recitations.

Claims 1, 4-6 and 8-10 were again rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,209,018 to Ben-Shachar et al. (“Ben-Shachar”).

Applicants previously argued that “Ben-Shachar does not disclose adding support for communication protocols to middleware without accessing the source code of the middleware ... the term “plug-in”, the “CGI, NSAPI, ISAPI plug-in[s]” (col. 9, line 29) are not comparable to the transport protocols or the connection bridge of claim 1...” In reply, the Patent Office considered this limitation and noted that claim 1 does not include the limitation of adding support for communication protocols to middleware.

Respectfully, that feature was disclosed in the preamble. That feature now appears in amended claim 1 as a positively recited step. Because Ben-Shachar does not address the compatibility issue between transport protocols and the middleware, it does not disclose adding support for communication protocols to middleware without accessing the source code of the middleware. Accordingly, Ben-Shachar does not anticipate the subject matter of claim 1 and therefore, is believed to be in condition for allowance.

Claims 2-6 and 8-10 depend from claim 1 and distinguish over Ben-Shachar for the reasons stated above regarding claim 1 and in view of their own further recitations.

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Rejections Under 35 U.S.C. §103(a)

Dependent claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being obvious over Maffeis. Dependent claim 11 stands rejected as obvious over Ben-Shachar. Claims 2 and 3, and 11 depend from independent claim 1 and are submitted to define over the prior art for the reasons stated above regarding claim 1 and in view of their own further recitations.

CONCLUSION

In view of the foregoing it is believed that claims 1-6 and 8-10 are in condition for allowance and it is respectfully requested that all pending claims be allowed and the case passed to issue.

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Respectfully submitted,

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